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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,388	03/28/2001	Paul W. Bennett	5676-00300	7146

7590

04/29/2004

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EXAMINER

CHEN, TE Y

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 04/29/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/820,388	BENNETT, PAUL W.	
	Examiner	Art Unit	
	Susan Y Chen	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 March 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-21 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

Handwritten signature

Response to Amendment

This is in response to the amendment filed on 03/04/2004.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-9, 11, 14-16, 18 and 21, are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al. (U.S. Patent No. 6,114,977).

As to claims 1-4, 7-9, 11, 14-16, 18 and 21, Smith et al. (Hereinafter referred as Smith) discloses a data processing computer system [Fig. 1] with method and program product [e.g., the KTAPE Software Program, Col. 6, lines 21-60, Fig. 6] to perform direct calculator functions on the fly as claimed by applicant, comprising a CPU [e.g. the Micro-Processor (35), Fig. 4] coupled with a memory, wherein the memory stores program instructions [e.g., col. 4, lines 26-38] which are executable by the CPU to:

- a) receive user's inputs including numeric and a set of operators into memory
[e.g., Abstract, lines 6-10; col. 5, lines col. 6, lines 32-46];
- b) display the values entered vertically by switch input focus to the next field once
a mathematical operator being entered [e.g. see Fig(s). 7 and 8; col. 6, lines 55-61];
- c) determine and display the intermediate steps of a calculation [Abstract, lines
20-26; col. 6, line 62 - col. 7, line 52];
- d) automatically calculate a final result and display it at a the first column below
the entered numeric values and mathematical operators [e.g., a final result "46" is
displayed below the entered numeric value "12" and the operator "34", Fig. 7].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-6, 10, 12-13 and 19-20, rejected under 35 U.S.C. 103(a) as being
unpatentable over Smith et al. (U.S. Patent No. 6,114,977) in view of Comer et al. (U.S.
Patent No. 6,430,584).

As to claims 10 and 17, although Smith discloses that the on-screen calculation is desired in the accounting and spreadsheets processing [col. 1, lines 9-12] and further discloses that his direct calculator can be activated by other customer-implemented function [e.g., col. 7, lines 49-52], however he did not specifically disclose the details as how to modify one or more input

However, Comer et al. (hereinafter referred as Comer) discloses a programmable computing system with a spreadsheet having on-screen calculator capability which can be configure to perform a user-defined function (UDF). Wherein, the UDF can be a formula that the author writes, a program written in a built-in macro language, or a separate program that interfaces with the spreadsheet. Such that, a user of a programmable computation device can customize the current selected cells of a spreadsheet to perform any user desired functions in the calculation device [Abstract; Fig(s) 1-5; col. 2, lines 15-22; col. 7, lines 31-38]. For example:

a) modifying one or more of the input numeric values in its location on the display [e.g., see the edit option of Fig. 3 in Comer]; or

b) recalculating and redisplay the result of the input numeric values and mathematical operators as modified [e.g., see Abstract liens 13-15; Fig. 5 in Comer].

Thus, It would have been obvious to one of ordinary skill in the art, at the time the invention was made, with the teachings of Smith and Comer in front of him, being motivated to modify the KTAP Software Program in Smith system with the UDF functions taught by Comer to form a combined system with features as claimed by

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applicant. Since by doing so, the combined system would allow the end user to edit and recalculate any business computation as desired on the fly.

As to claims 5-6, 12-13 and 19-20, the claimed simultaneous operation is read on by the spreadsheet insert mode.

Response to Arguments

Applicant's arguments filed on 03/04/2004 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., automatically switching input focus from one field to another field within a single application based on the set focus to a field means to cause subsequent character input to be sent to a field. Setting the focus to a field is also referred to as setting the focus to the line that contains the field.) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y Chen whose telephone number is (703) 308-1155. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (703) 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susan Y Chen
Examiner
Art Unit 2171

April 28, 2004



UYEN LE
PRIMARY EXAMINER